

REMARKS

Claims 1-50 have been examined. Claim 51 has been added. Claims 1, 4-7, 9-14, 16-18, 23-24, 26-32, 37-38, 49-51 are all the claims pending in the application.

Formal matters

Applicant thanks the Examiner for accepting the drawings as filed on October 22, 2001, and for acknowledging claim to foreign priority and receipt of a certified copy of the priority document. Applicant also thanks the Examiner for reviewing and initialing the documents in the Information Disclosure Statements submitted on December 14, 2005 and May 31, 2006.

Claim rejections -- 35 U.S.C. § 101

Claims 40-47 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicant has herein cancelled claims 40-47 without prejudice or disclaimer, and therefore respectfully requests the Examiner to withdraw the rejection.

Claim rejections -- 35 U.S.C. § 102

Claims 1-4, 6-10, 15-16, 18-21, 23-27, 32-35, 37-40, 42-43, and 45 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Inoue, which is previously of record.

Claim 1 recites the feature wherein, if the recording information is to be prohibited from being copied after being recorded into the recording medium, the generating device generates No More Copy information as the copy control information and the information recording apparatus records the recording information and the copy control information into the recording medium without modifying the copy control information. In Inoue, when the recording information is to be prohibited from being copied after being recorded into RAM disk 212 in the RAM writing apparatus 200, the ROM reading apparatus 100, which outputs information to the RAM writing

apparatus 200, does not generate No More Copy information. In this case, the ROM reading apparatus 100 outputs information containing Copy Once information (the first WM is “present” and the second WM is “absent”), and the RAM writing apparatus modifies the Copy Once information to No More Copy information and writes the information containing No More Copy information onto the RAM disk 212. Thus, Inoue does not disclose or suggest the above-mentioned feature of claim 1. Accordingly, Applicant respectfully submits that claim 1 is patentable over Inoue for this reason.

Claims 7, 9, 10, 18, 24, 26, 27, 32, and 38 recite features similar to those of claim 1 discussed above. Accordingly, Applicant respectfully submits that claims 7, 9, 10, 18, 24, 26, 27, 32, and 38 are patentable for the same reason. The remaining claims are patentable based on their respective dependencies.

Claim rejections -- 35 U.S.C. § 103

Claims 5, 17, 22, 36, and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of U.S. Patent No. 6,453,304 to Manabu.

Claims 22, 36, and 44 have been cancelled without prejudice or disclaimer. Claims 5 and 17 each depend from independent claims 1 and 9, respectively, which have been shown above to be patentable of Inoue. Manabu does not cure the deficiencies of Inoue. Accordingly, Applicant respectfully submits that claims 5 and 17 are patentable over the Inoue and Manabu combination.

Claims 11, 28, 41, and 46-48 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of Kim, both of which are previously of record.

Claims 41 and 46-48 have been cancelled without prejudice or disclaimer. With respect to claims 11 and 28, each of these claims depend from claims 10 and 27, which have been shown

above to be patentable over Inoue. Kim does not cure the deficiencies of Inoue. Accordingly, Applicant respectfully submits that claims 11 and 28 are patentable over the Inoue and Kim combination.

Claims 12, 14, 29, and 31 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of U.S. Patent No. 6,530,023 to Nissl.

Claims 12, 14, 29, and 31 each depend from either claim 10 or 27, which have been shown above to be patentable over Inoue. Nissl does not cure the deficiencies of Inoue. Accordingly, Applicant respectfully submits that claims 12, 14, 29, and 31 are patentable over the Inoue and Nissl combination.

Claim 49 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of U.S. Patent No. 6,275,588 to Videcrantz. Claim 49 depends from claim 1 which has been shown above to be patentable over Inoue. Videcrantz does not cure the deficiencies of Inoue, and accordingly, Applicant respectfully submits that claim 49 is patentable over the Inoue and Videcrantz combination.

Claim 50 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of Manabe in view of Videcrantz. Claim 50 depends from claim 7 which has been shown above to be patentable over Inoue. Neither Manabu nor Videcrantz cure the deficiencies of Inoue, and accordingly, Applicant respectfully submits that claim 50 is patentable over the Inoue, Manabu, and Videcrantz combination.

New claim

Applicant herein adds claims 51, which recites the feature of a generating device for generating first copy control information indicating a number of times which the recording information can be recorded after being recorded into the recording medium if it is determined that the outputting speed is higher than the reproducing speed, and for generating second copy control information indicating a number of times which the recording information can be recorded before being recorded into the recording medium if it is determined that the outputting speed is not higher than the reproducing speed. Applicant respectfully submits that none of the art of record, either alone or in any conceivable combination, teaches or otherwise discloses this feature.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln. No. 09/982,818

Q66841

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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